



09/457,228

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PATENT  
Attorney Docket No. 101.0084-00000  
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent of: )  
Gary K. Michelson ) (Serial No.: 09/457,228)  
Patent No.: 6,827,740 *bl* )  
Issue Date: December 7, 2004 ) (Filed: December 8, 1999)  
For: SPINAL IMPLANT SURFACE )  
CONFIGURATION )

Certificate of Correction Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Certificate  
JAN 10 2005  
of Correction

Sir:

**CERTIFICATE OF MAILING VIA FIRST CLASS MAIL**

Date of Deposit: December 30, 2004

I hereby certify that:

1. Request for Certificate of Correction
2. 1 sheet of Form PTO-1050 (in duplicate)
3. 2 pages of supporting documents
4. Self-addressed return postcard receipt

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Date: December 30, 2004

  
Sandra L. Blackmon

1557 Lake O'Pines Street, NE  
Hartville, Ohio 44632  
Telephone: (330) 877-0700  
Facsimile: (330) 877-2030

12 JAN 2005



PATENT  
Attorney Docket No. 101.0084-00000  
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent of: )  
Gary K. Michelson ) (Serial No.: 09/457,228)  
Patent No.: 6,827,740 B1 )  
Issue Date: December 7, 2004 ) (Filed: December 8, 1999)  
For: SPINAL IMPLANT SURFACE )  
CONFIGURATION )

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Commissioner for Patents  
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Alexandria, VA 22313-1450

Sir:

**REQUEST FOR CERTIFICATE OF CORRECTION**

Pursuant to 35 U.S.C. § 254 and 37 C.F.R. § 1.322, this is a request for the issuance of a Certificate of Correction in the above-identified patent. Two (2) copies of PTO Form 1050 are appended. The complete Certificate of Correction involves one (1) page.

The mistakes identified in the appended Form occurred through the fault of the Patent Office, as clearly disclosed by the records of the application, which matured into this patent, and as evidenced in the attached copies of the following documents:

1. Form PTO-1449 considered and initialed by Examiner on October 15, 2004, showing the list of U.S. documents missing from the printed patent.
2. Page 19 of Amendment dated February 27, 2004, showing the proper language of issued claim 94 (pending claim 176).

Issuance of the Certificate of Correction containing the correction is earnestly requested.

Respectfully submitted,

MARTIN & FERRARO, LLP

Dated: December 30, 2004

By: Thomas H. Martin  
Thomas H. Martin  
Registration No. 34,383

1557 Lake O'Pines Street, NE  
Hartville, Ohio 44632  
Telephone: (330) 877-0700  
Facsimile: (330) 877-2030

UNITED STATES PATENT AND TRADEMARK OFFICE

**CERTIFICATE OF CORRECTION**

PATENT NO: 6,827,740 *B1*  
DATED: December 7, 2004  
INVENTOR: Gary K. Michelson

It is hereby certified that an error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Title Page,

Item (56), **References Cited**, U.S. PATENT DOCUMENTS, insert the following:

--4,531,244	7/1985	Hamas
4,673,409	6/1987	Van Kampen
4,795,742	1/1989	Crowinshield et al.
4,955,907	9/1990	Ledergerber
5,716,412	2/1998	DeCarlo Jr. et al.
6,190,414	2/2001	Young et al.
2002/0068978	6/2002	Camino et al.
6,432,106	8/2002	Fraser
6,592,624	7/2003	Fraser et al.--.

Column 18,

Line 64, change "aid" to -- said --.

Mailing Address of Sender:  
Martin & Ferraro, LLP  
1557 Lake O'Pines Street, NE  
Hartville, Ohio 44632

PATENT NO. 6,827,740  
No. of add'l copies  
@ 50¢ per page

UNITED STATES PATENT AND TRADEMARK OFFICE

**CERTIFICATE OF CORRECTION**

PATENT NO: 6,827,740 B1  
DATED: December 7, 2004  
INVENTOR: Gary K. Michelson

It is hereby certified that an error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Title Page,

Item (56), References Cited, U.S. PATENT DOCUMENTS, insert the following:

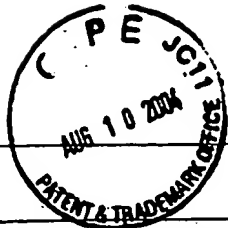
—4,531,244	7/1985	Hamas
4,673,409	6/1987	Van Kampen
4,795,742	1/1989	Crowinshield et al.
4,955,907	9/1990	Ledergerber
5,716,412	2/1998	DeCarlo Jr. et al.
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Substitute for FORM PTO-1449	Attorney Docket Number 101.0084-00000	Customer No. 22882	
<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>	Applicant Gary K. Michelson	Application Number 09/457,228	
(Use several sheets if necessary) Sheet <u>1</u> of <u>1</u>	Filing Date December 8, 1999	Group Art Unit 3738	Examiner Bruce Snow

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	2002/0068978	6/2002	Camino et al.			
	4,531,244	7/1985	Hamas			
	4,673,409	6/1987	Van Kampen			
	4,795,742	1/1989	Crowinshield et al.			
	4,955,907	9/1990	Ledergerber			
	5,716,412	2/1998	DeCarlo Jr. et al.			
	6,190,414	2/2001	Young et al.			
	6,432,106	8/2002	Fraser			
	6,592,624	7/2003	Fraser et al.			

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION (YES/NO)

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

EXAMINER		DATE CONSIDERED	10/15/04
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

176. (previously presented) The spinal implant of claim 175, wherein said second facet configuration includes opposed side facets between said forward facet and said rearward portion, said side facets having at least a first portion in a plane passing through and being at an angle to the mid-longitudinal axis of said implant.

177. (previously presented) The spinal implant of claim 175, wherein said third and fourth surface projections are interspersed with said first and second surface projections.

178. (previously presented) The spinal implant of claim 176, further comprising at least a fifth and a sixth surface projection each having a third facet configuration with at least one forward facet directed at least in part toward the leading end and at least one rearward portion directed at least in part toward the trailing end, said forward facet and said rearward portion of said third facet configuration having a length and a slope, the length of said forward facet of said third facet configuration being longer than the length of said rearward portion of said third facet configuration, the slope of said rearward portion of said third facet configuration being steeper than the slope of said forward facet of said third facet configuration, said third facet configuration further including at least a left forward side facet and a right forward side facet directed at least in part toward said leading end and said sides, respectively, and a single rearward facet directed at least in part toward said trailing end, said left and right forward side facets having at least a first portion in a plane passing through and being at an angle to the mid-longitudinal axis of said implant.

179. (previously presented) The spinal implant of claim 178, wherein said fifth and sixth surface projections are interspersed with said first and second surface projections.

180. (previously presented) The spinal implant of claim 178, wherein said third, fourth, fifth, and sixth surface projections are interspersed with said first and second surface projections.

181. (previously presented) The spinal implant of claim 178, wherein one of said surface projections having said second facet configuration has a length approximating the combined length of two surface projections each having at least one of said first and third facet configurations.